

### **Remarks/Arguments**

Claims 20-25 were pending in the application. Claims 20-25 were rejected. No claims were withdrawn. No claims were merely objected to and no claims were allowed. By the foregoing amendment, no claims are canceled, claims 20-25 are amended, and no new claims are added. Support for the claim amendments may at least be found in the specification, claims and drawings as originally filed. No new matter is presented.

#### **Claim Rejections-35 U.S.C. §112**

The examiner asserts claims 20-25 are rejected under 35 U.S.C. §112, second paragraph. Applicant have amended claims 20-25 to remove the narrative form replete with indefinite and functional language or operational language as asserted by the examiner.

For at least these reasons, Applicants contend amended claims 20-25 are definite and particularly point out and distinctly claim Applicants' claimed portable gun recited therein.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §112, second paragraph, and find that amended claims 20-25 are allowable.

#### **Claim Rejections-35 U.S.C. §102**

The examiner asserts claims 20-25 are rejected under 35 U.S.C. §102(b) as being anticipated by Figure 2 of U.S.P.N. 4,970,819 to Mayhak ("Mayhak"). Applicant respectfully traverses the rejection.

In framing the present rejection, the examiner cites Figure 2 of Mayhak as evidence that Mayhak teaches all the cited elements recited in Applicants' claims 20-25.

Applicants draw the examiner's attention to Mayhak at col. 3, ll. 33-48 which states as follows:

"Strictly speaking, a simulated neural network does not possess a memory in the sense that a computer has a memory. Instead, the training of a pattern recognition neural network involves repeatedly subjecting its input neurons to signals corresponding to the pattern, including variations thereof. This establishes interconnections between the input neurons, the hidden neurons and the output neuron, so that, eventually, when the trained network is subjected to a pattern signal the output is either "yes" or "no" that it is or is not the pattern it has been trained to recognize. A trained neural network will exhibit a particular pattern of

interconnections between neurons therein and the pattern of connection strengths between neurons is equivalent to memory for that network.”

Mayhak teaches explicitly the simulated neural network taught therein does not possess a memory in the sense that a computer does a memory. Hence, Mayhak distinguishes the simulated neural network taught therein from the claim term “chip” recited in Applicants’ amended claims 20-25. Applicants’ claim term “chip” is not equivalent to Mayhak’s simulated neural network according to the teachings of Mayhack.

For at least these reasons, Applicants contend Mayhack fails to teach all the claim elements recited in Applicants’ amended claims 20-25, and said amended claims are patentable and not anticipated by the teachings of Mayhak.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §102(b) and find that amended claims 20-25 are allowable.

The examiner also asserts claims 20-23 are rejected under 35 U.S.C. §102(e) as being anticipated by paragraphs [0022-0026] of U.S.P.N. 7,168,198 to Newkirk (“Newkirk”). Applicant respectfully traverses the rejection.

In framing the present rejection, the examiner cites paragraphs [0022-26] of Newkirk as evidence that Newkirk teaches all the cited elements recited in Applicants’ claims 20-23.

Although the examiner does not provide any further explanation, Applicants believe the examiner asserts “the strain gauge potentiometer attached to a flexible membrane within the holster or grip [of the gun]” (col. 2, ll. 63-67) is equivalent to the claim term “strain gauges” recited in Applicants’ amended claims 20-23.

Applicants contend the examiner fails to consider the entirety of the teachings of the Newkirk reference. Newkirk teaches the strain gauge is a means for detecting removal of the gun from the holster. Newkirk does not teach the strain gauge is intended to establish a minimum grip force or an applied grip force as recited in Applicants’ amended claims 20-23. Newkirk does is concerned with detecting the removal of the gun from a holster and utilizes the strain gauge taught therein for solely that purpose.

For at least these reasons, Applicants contend Newkirk fails to teach all the claim

elements recited in Applicants' amended claims 20-23, and said amended claims are patentable and not anticipated by the teachings of Newkirk.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §102(e) and find that amended claims 20-23 are allowable.

#### Claim Rejections-35 U.S.C. §103

The examiner asserts claims 24 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S.P.N. 7,168,198 to Newkirk. Applicant respectfully traverses the rejection.

Applicants reiterate their remarks with respect to the teachings of Newkirk with respect to Applicants' amended claims 20-23 in the rejection under 35 U.S.C. §102(e).

The examiner asserts one of ordinary skill in the art would find it obvious to provide as many gauges as necessary to obtain more readings. The examiner has failed to consider the totality of the teachings of Newkirk and misplaces his reliance upon the holding of *In re Harza*. First, Applicants draw the examiner's attention to the fact that Newkirk does not utilize the only strain gauge taught therein to establish a minimum grip force or an applied grip force of an owner using the claimed gun recited in Applicants' amended claims 24 and 25. Newkirk fails to teach or suggest all the claim elements recited in Applicants' claims 24 and 25. Furthermore, Newkirk fails to provide the requisite motivation to alter its teachings and teach using the a strain gauge, or even several strain gauges for that matter, in the same manner as recited in Applicants' claims 24 and 25.

For at least these reasons, Applicants contend amended claims 24 and 25 are patentable and not anticipated by the teachings of Newkirk.

In light of the foregoing, Applicants respectfully request the examiner withdraw the rejection under 35 U.S.C. §103(a) and find that amended claims 24 and 25 are allowable.

### **CONCLUSION**

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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